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WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

CRIMINAL ACTION NO. 12-00320-01, -02

-vs-

JUDGE DRELL

DEION DURUISSEAU (01),
LASHAWN DURUISSEAU (02)

MAGISTRATE JUDGE KIRK

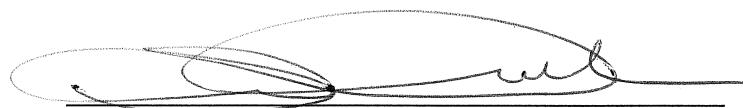
RULING AND ORDER

The Appeal by the Government from the Magistrate Judge's Order requiring a Bill of Particulars for Defendants Deion and Lashawn Duruisseau (Doc. 109) is GRANTED IN PART AND DENIED IN PART. It is granted in part for the legal reasons correctly stated by the Magistrate Judge. We noted in a previous Order granting a Bill of Particulars for Defendant Lee that it was unclear as to what counts of the indictment applied to Defendant Lee. Although that is not the case for Defendants Deion and Lashawn Duruisseau, in our view, the indictment still must be supplemented with further particulars in order for the Duruisseaus to prepare their defense. Although we find Counts 2, 3, and 4 sufficiently detailed, Defendants are entitled to further information regarding the charges in Count 1. Specifically, the Government must identify what "materially false or fraudulent pretenses, representations, or promises" the Defendants "knowingly" made in connection with the conspiracy charged in Count I. See United States v. Harris, 2014 WL 2112112 at *3-4 (W.D. Tex. March 14, 2014) (requiring the Government to submit a Bill of Particulars to substantiate an indictment that charged

defendants with making "material misrepresentations" in connection with a "scheme to defraud"). However, like we did in Defendant Lee's case, we disagree that all the information requested by the Duruisseau Defendants is appropriate. Thus, we order the Government to provide the following particulars:

1. As to the "materially false statements" that the Government alleges Deion and Lashawn Duruisseau made until "at least October 2009," what specific false statements Defendants made.
2. What are the dates, times and places when and where the conspiracy was carried out and the identities of the NAMED co-conspirators who participated at each such date, time, and place.

SIGNED on this 9th day of October, 2014 at Alexandria, Louisiana.



DEE D. DRELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT